

§ 50.4

plus salvage, must not exceed the appraised value of each animal: *Provided, however*, that payment of indemnity for the destruction of suspect cattle, bison, and captive cervids will be withheld until the tuberculosis status of the suspect has been determined and, if the cattle, bison, or captive cervid is found to be infected with tuberculosis, all cattle, bison, and captive cervids 2 years of age or over in the claimant's herd have been tested for tuberculosis under APHIS or State supervision.

(e) *Exposed swine.* The Administrator may authorize the payment of Federal indemnity to owners of swine destroyed because of tuberculosis not to exceed \$200 for any animal, when such animals are found by APHIS to be exposed to tuberculosis by reason of association with a herd destroyed under § 50.3(b); but, the joint State-Federal indemnity payments, plus salvage, must not exceed the appraised value of each animal.

[45 FR 32287, May 16, 1980, as amended at 49 FR 28041, July 10, 1984; 49 FR 44273, Nov. 6, 1984; 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998; 66 FR 21061, Apr. 27, 2001]

§ 50.4 Classification of cattle, bison, and captive cervids as affected, exposed, or suspect.

(a) Cattle, bison, and captive cervids are classified as affected with tuberculosis on the basis of an intradermal tuberculin test applied by a Federal, State, or an accredited veterinarian or by other diagnostic procedure approved in advance by the Administrator.

(b) Cattle, bison, and captive cervids are classified as exposed to tuberculosis when such cattle, bison, and captive cervids (1) are part of a known infected herd, or (2) are found to have moved from an infected herd before the time infection was disclosed in such herd and after the time such herd had apparently become infected, or (3) are found to have been exposed by virtue of nursing a reactor dam: *Provided*, That cattle, bison, and captive cervids classified as exposed to tuberculosis shall be removed direct to slaughter.

(c) Cattle and bison are classified as suspects for tuberculosis based on a positive response to an official tuberculin test, in accordance with the

9 CFR Ch. I (1–1–02 Edition)

“Uniform Methods and Rules—Bovine Tuberculosis Eradication” (incorporated into the regulations by reference in part 77). Captive cervids are classified as suspects for tuberculosis in the same manner as cattle and bison.

[40 FR 27009, June 26, 1975, as amended at 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998]

§ 50.5 Record of tests.

When any cattle, bison, or captive cervid in a herd is classified by an APHIS or State representative or accredited veterinarian as a reactor to a test for tuberculosis, a complete test record shall be made for such herd, including the reactor tag number of each reacting animal and the registration name and number of each reacting registered animal. VS Form 6-22 or an equivalent State form shall be used for the record of any herd having any reactor to a tuberculin test. A copy of the applicable test record shall be given to the owner of any such herd, and one copy of each such record shall be furnished to the appropriate State veterinarian's office.

[40 FR 27009, June 26, 1975, as amended at 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 63 FR 34264, June 24, 1998]

§ 50.6 Identification of animals to be destroyed because of tuberculosis.

Cattle, bison, captive cervids, or swine to be destroyed because of tuberculosis must be identified within 15 days after being classified as reactors or otherwise condemned because of tuberculosis, except that the appropriate Veterinarian in Charge, for reasons satisfactory to him, may extend the time limit for identification to 30 days when a request for such extension is received by him prior to the expiration date of the original 15-day period allowed, and the Administrator may extend the time limit for identification beyond 30 days, upon request in specific cases and for reasons satisfactory to him.

(a) *Reactor cattle and bison.* Reactor cattle and bison shall be identified by branding the letter “T,” at least 5 by 5 centimeters (2 by 2 inches) in size, high

on the left hip near the tailhead and by attaching to the left ear an approved metal eartag bearing a serial number and the inscription "U.S. Reactor", or a similar State reactor tag. Reactor cattle and bison may be moved interstate to slaughter without branding if they are permanently identified by the letters "TB" tattooed legibly in the left ear, they are sprayed on the left ear with yellow paint, and they are either accompanied by an APHIS or State representative or moved directly to slaughter in vehicles closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(b) *Exposed cattle and bison.* Exposed cattle and bison shall be identified by branding the letter "S," at least 5 by 5 centimeters (2 by 2 inches) in size, high on the left hip near the tailhead and by attaching to either ear an approved metal eartag bearing a serial number. Exposed cattle and bison may be moved interstate to slaughter without branding if they are either accompanied by an APHIS or State representative or moved directly to slaughter in vehicles closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(c) *Exposed swine.* Swine destroyed under the provisions of § 50.3(d) shall be identified by tagging with a serially numbered metal eartag attached to either ear. All such animals to be destroyed shall be transported to the place of destruction in vehicles closed with seals provided by APHIS or shall be accompanied to the place of destruction by an APHIS or State representative: *Provided, however,* That animals destroyed and disposed of under the direct supervision of an APHIS or State representative on the premises where they were exposed do not require individual identification.

(d) *Reactor captive cervids.* Reactor captive cervids shall be identified by branding the letter "T" high on the left hip near the tailhead and at least 5 by 5 centimeters (2 by 2 inches) in

size and by attaching to the left ear an approved metal eartag bearing a serial number and the inscription "U.S. Reactor", or a similar State reactor tag. Reactor captive cervids may be moved interstate to slaughter without branding if they are permanently identified by the letters "TB" tattooed legibly on the left ear, they are sprayed on the left ear with yellow paint, and they are either accompanied by an APHIS or State representative or moved directly to slaughter in vehicles closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

(e) *Exposed captive cervids.* Exposed captive cervids shall be identified by branding the letter "S" high on the left hip near the tailhead and at least 5 by 5 centimeters (2 by 2 inches) in size and by attaching to either ear an approved metal eartag bearing a serial number. Exposed captive cervids may be moved interstate to slaughter without branding if they are either accompanied by an APHIS or State representative or moved directly to slaughter in vehicles closed with official seals. Such official seals must be applied and removed by an APHIS representative, State representative, accredited veterinarian, or an individual authorized for this purpose by an APHIS representative.

[40 FR 27009, June 26, 1975, as amended at 45 FR 32287, May 16, 1980; 50 FR 40963, Oct. 8, 1985; 51 FR 2346, Jan. 16, 1986; 52 FR 39614, Oct. 23, 1987; 56 FR 36998, Aug. 2, 1991; 60 FR 37809, July 24, 1995; 60 FR 48366, Sept. 19, 1995; 61 FR 25138, May 20, 1996; 63 FR 34264, June 24, 1998]

§ 50.7 Destruction of animals.

(a) *Slaughter or disposal.* Cattle, bison, captive cervids, or swine to be destroyed because of tuberculosis must be shipped direct to slaughter under permit to a Federal or State inspected slaughtering establishment or be disposed of by rendering, burial, or incinerating in an approved manner under supervision of an APHIS or State employee.

(b) *Time limit for destruction of animals.* Cattle, bison, captive cervids, or